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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**JOSEPH DOWNEY WADE,**

Plaintiff,

vs.

**STATE OF OREGON; UNIVERSITY  
OF OREGON; and JOHN MOSELEY, in  
his official and individual capacities,**

Defendants.

**Case No. 01-6178-HO**

**JOESPH WADE'S RESPONSE TO THE  
COMPLIANCE REPORT BY THE  
UNIVERSITY OF OREGON**

1. On August 4, 2008, Defendant filed its report regarding compliance with the terms of the June 27, 2002 Agreement entered into between Dr. Joseph Wade and the University of Oregon. As set forth in Dr. Wades' Declaration on file herein, Dr. Wade has thoroughly reviewed the submissions by Defendants and it is clear that those submissions demonstrate a pattern of disregarding both the terms and the spirit of the Agreement.

2. As more fully set forth in Dr. Wade's declaration, the University has admittedly failed to follow the terms of the Agreement. With respect to the Vice Provost

for Institutional Diversity position, it failed to conduct a national search for the position and instead used an interim appointment process that was then used to bootstrap the interim appointee into the position. It twice appointed individuals to the Director of Student Affairs position without a national search. It completely failed to create or implement the exit interview procedure required by the Agreement.

3. As a result of these failures, Joseph Wade requests the Court to continue its oversight of compliance with the Agreement for another three (3) years and to order the University to issue a yearly report to the court and to Dr. Wade demonstrating compliance with the exit interview protocol and if Dr. Martinez or Dr. Holmes leave their positions, evidence that a national search for their replacement was conducted.

DATED: September 5<sup>th</sup>, 2008.

CHANTI & MIDDLETON, P.C.

By: 

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